

This Page Is Inserted by IFW Operations  
and is not a part of the Official Record

## **BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning documents *will not* correct images,  
please do not report the images to the  
Image Problem Mailbox.**



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/642,763	08/19/2003	Veas	1721-67

23117  
NIXON & VANDERHYE, PC  
1100 N GLEBE ROAD  
8TH FLOOR  
ARLINGTON, VA 22201-4714



CONFIRMATION NO. 3291  
FORMALITIES LETTER



\*0000000011365380\*

Date Mailed: 11/28/2003

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.138(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents

01/06/2004 YGIZAW 00000003 141140 1064763 Box 1450  
01 FC:1051 130.00 DA Alexandria VA 22313-1450

***A copy of this notice MUST be returned with the reply.***

Adjustment date: 04/05/2004 SDIRETA1  
01/06/2004 YGIZAW 00000003 141140 10642763  
01 FC:1051 130.00 CR



United States  
Patent and  
Trademark Office



STATUS AND ENTITY  
BRANCH

2004 MAR 29 PM 4:56

**Deposit Account Statement**

Requested Statement Month:

January 2004

Deposit Account Number:

141140

Name:

NIXON & VANDERHYE P.C.

Attention:

LENARD MITCHARD

Address:

1100 N GLEBE ROAD

City:

ARLINGTON

State:

VA

Zip:

22201-4714

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
01/06	6	10642763	1721-67	51 1051	✓ \$130.00	\$19,944.98



STATUS AND ENTITY  
BRANCH

Copy

New Patent Application C#/M#: 1721-67 2004 MAR 29 PM 4: 56

Serial No.: cont of 08/913,525 Date: August 19, 2003

Inventor/s: VEAS Atty: BJS

Title: IMMUNOGENIC COMPOSITIONS FOR USE AS  
VACCINES

XX Preliminary Amendment  
37 Pages Specification, claims & Abstract 1 page  
13 Claims

\$ Fee (Check) - Pre-Bill  
\$822.00 Fee (Check) - Non Pre-Bill  
\$0.00 Total Fee Enclosed

Other: Information Disclosure Statement; PTO-1449  
Form; Copy of International Search Report; Request;  
Copy of Sequence Listing; Copy of English translation  
of pages 10, 24 and 27 attached to the corrected IPER

New Patent Application C#/M#: 1721-67

Serial No.: cont of 08/913,525 Date: August 19, 2003

Inventor/s: VEAS Atty: BJS

Title: IMMUNOGENIC COMPOSITIONS FOR USE AS  
VACCINES

XX Preliminary Amendment  
37 Pages Specification, claims & Abstract 1 page  
13 Claims

XX Declaration (1 Page)  
\$ Fee (Check) - Pre-Bill  
\$822.00 Fee (Check) - Non Pre-Bill  
\$0.00 Total Fee Enclosed

Other: Information Disclosure Statement; PTO-1449 Form;  
Copy of International Search Report; Request; Copy of  
Sequence Listing; Copy of English translation of pages  
10, 24 and 27 attached to the corrected IPER

15535 U.S. PTO  
10/642763





DEP 7 REF  
Room 307

OFFICE OF FINANCE  
REFUND BRANCH  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2004 MAR 31 10:14:56

In re Patent Application of

VEAS

Serial No. 10/642,763

Filed: August 19, 2003

For: IMMUNOGENIC COMPOSITIONS FOR USE AS  
VACCINES

US PATENT & TRADEMARK  
Atty. Ref. 1721-67

Group: 1653

Examiner: Unassigned

\* \* \* \* \*

March 25, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REFUND REQUEST**

The Office is requested to refund the undersigned's Deposit Account for the \$130.00 debited to Deposit Account No. 14-1140 in the monthly statement of January 2004, copy attached. A further explanation of the charge is requested in the event the Patent Office continues to believe the charge was appropriately made.

The late Oath or Declaration surcharge of \$130 is not believed to be required since the Declaration was filed with the application on August 19, 2003, as evidenced by the attached copy of the previously filed Declaration and the undersigned's date-stamped postcard.

VEAS

Serial No. 10/642,763

Accordingly, in view of the above and attached, the \$130.00 fee charged by the  
Patent Office to the undersigned's Deposit Account in the attached statement of January  
2004 is believed to be in error and a refund of the noted amount is requested.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: 

B. J. Sadoff

Reg. No. 36,663

BJS:pp  
1100 North Glebe Road, 8th Floor  
Arlington, VA 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Atty. Dkt.: 1721-67  
Date: August 19, 2003

15535 U.S. PTO  
10/642763  
08/19/03

Sir:

Attached for filing is the patent application of:

Inventor: VEAS

Entitled: IMMUNOGENIC COMPOSITIONS FOR USE AS VACCINES

and including attachments as noted below:

☐ Newly executed Declaration, ☒ Copy of Declaration from prior application, ☒ Abstract  
37 pages of specification and claims (including 13 numbered claims), and  
sheets of accompanying drawing/s.

☐ Record the attached assignment to

☐ Attached is a Power of Attorney.

and return to the undersigned.

☒ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

Application Number

FR 9901794

Country

France

Day/Month/Year Filed

15 February 1999

15 February 2000

PCT/FR00/00375

, respectively, the entire content of which is hereby incorporated by reference in this application..

☐ Certified copy(ies) of foreign application(s) is/are attached.

☐ Certified copy(ies) filed on \_\_\_\_\_ in prior appln. no. \_\_\_\_\_

☐ This application claims the benefit of Provisional Application No. \_\_\_\_\_

filed \_\_\_\_\_, the entire content of which is

☒ This application is a ☒ continuation/☐ division/☐ continuation-in-part of Application No. 09/913,525, filed September 12, 2001, which is a 371 U.S. national phase of PCT/FR00/00375, filed 15 February 2000, which designated the U.S., the entire content of which is hereby incorporated by reference in this application.

☒ Petition filed in prior application to extend its life to insure co-pendency.

☒ The prior application is assigned to Institut De Recherche Pour Le Developpement (I.R.D.), Paris Cedex 10, France.

☒ It is hereby requested that the Examiner consider the art cited in the parent application by applicant and/or the Examiner for the reasons stated therein. A listing of that art is attached.

☐ Applicant claims "small entity" status. ☐ "Small entity" statement attached.

☒ Please enter the attached and/or below preliminary amendment prior to calculation of filing fee:

☒ Also attached: ☒ Information Disclosure Statement; ☐ Non-Publication Request; ☒ Nucleotide and/or Amino Acid Sequence Submission; ☐ Statement deleting Inventor(s) named in prior application; ☒ Other: PTO-1449 Form; Copy of International Search Report; Request; Copy of English translation of pages 10, 24 and 27 attached to the corrected IPER

**FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY HEREWITH CANCELED**

Basic Filing Fee

Total effective claims	24	- 20 (at least 20) =	4	x \$ 18.00	\$	750.00
Independent claims	1	- 3 (at least 3) =	0	x \$ 84.00	\$	72.00
If any proper multiple dependent claims now added for first time, add \$280.00 (ignore improper)						\$ 0.00

If "small entity," then enter half (1/2) of subtotal and subtract

SUBTOTAL \$ 822.00

Assignment Recording Fee (\$40.00)

SECOND SUBTOTAL \$ 822.00

TOTAL FEE ENCLOSED \$ 822.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

Correspondence Address:

Customer Number:

23117

Telephone: (703) 816-4000

Facsimile: (703) 816-4100

BJS:plb

NIXON & VANDERHUYE P.C.

By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: \_\_\_\_\_

767346

RULE 37.17 C.F.R. 1.53)  
**DECLARATION AND POWER OF ATTORNEY  
 FOR PATENT APPLICATION  
 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE STATUS AND ENTITY  
 BRANCH**

I, a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) the subject matter which is claimed and for which a patent is sought on the invention entitled:

2004 MAR 29 PM 4:56

specification of which (check applicable box(s)):

is attached hereto.  
 was filed on \_\_\_\_\_ as U. S. Application Serial No. \_\_\_\_\_  
 was filed as PCT international application No. PCT/ FR00/00375 on February 15, 2000  
 (if applicable to U.S. or PCT application) was amended on May 18, 2001

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate as set forth below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application which priority is claimed or, if no priority is claimed, before the filing date of this application:

Foreign Application(s): Application Number	Country	Day/Month/Year Filed
99 01 794	FR	15/02/1999

I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT international applications listed above or below and, insofar as subject matter of each of the claims of this application is not disclosed in such prior applications in the manner provided by the first paragraph of U.S.C. 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:

or U.S./PCT Application(s): Application Serial No.	Day/Month/Year Filed	Status: patented, pending, abandoned
PCT/FR00/00375	15/02/2000	pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of application or any patent issued thereon. And I hereby appoint NIXON & VANDERMEY P.C., 1100 North Glebe Rd., 8th Floor, Arlington, VA 20147-14, telephone number (703) 816-4000 (to whom all communications are to be directed), and the following attorneys thereof (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent: Arthur R. Crawford, 29327; Larry S. Nixon, 25640; Robert A. Vandermeye, 27079; James T. Mosher, 3134; Robert W. Paris, 31352; Richard G. Besha, 22770; Mark E. Nussbaum, 32348; Michael J. Keenan, 32106; Bryan H. Davidson, 30251; Stanley Spooner, 27393; Leonard C. Mitchard, 29009; Duane M. Byrne, 32367; Paul J. Henon, 33629; Jeffrey H. Nelson, 30481; John R. Lastova, 33149; H. Allen Burnam, Jr., 29366; Thomas E. Byrne, 32205; Mary J. Wilson, 32555; J. Scott Davidson, 33439; Jerry D. Craig, 38025.

Inventor's Signature \_\_\_\_\_ Date July 26, 2001  
 Inventor's Name (typed) Francisco VEAS  
 First Middle Initial Family Name Citizenship FR

Residence (City) MAUGUIO (State/Foreign Country) FRANCE Zip Code 34130  
 Post Office Address Mas Abrigas

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_  
 Inventor's Name (typed) \_\_\_\_\_  
 First Middle Initial Family Name Citizenship FR

Residence (City) \_\_\_\_\_ (State/Foreign Country) \_\_\_\_\_ Zip Code \_\_\_\_\_  
 Post Office Address \_\_\_\_\_

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_  
 Inventor's Name (typed) \_\_\_\_\_  
 First Middle Initial Family Name Citizenship FR

Residence (City) \_\_\_\_\_ (State/Foreign Country) \_\_\_\_\_ Zip Code \_\_\_\_\_  
 Post Office Address \_\_\_\_\_

FOR ADDITIONAL INVENTORS, check box ☒ and attach sheet with same information and signature and date for each.